

Jackie Swigart

SECRETARY

John Y. Brown, Jr.

GOVERNOR

Site: A.L. Taylor  
2.4

COMMONWEALTH OF KENTUCKY  
DEPARTMENT FOR NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION  
BUREAU OF ENVIRONMENTAL PROTECTION

Jack Wilson  
Commissioner  
FRANKFORT, KENTUCKY 40601

April 15, 1980

Mr. William J. Rutledge  
Vice President  
Reliance Universal Inc.  
Suite 1600 Watterson Towers  
1930 Bishop Lane  
Louisville, Kentucky 40218

Dear Mr. Rutledge:

We have carefully reviewed your March 18, 1980, letter wherein you proposed to contract with CECOS International, Inc. for the removal of approximately 805 "Reliance" marked drums from the A. L. Taylor site. Although the number of drums proposed for removal is not significant, their removal will make the remaining surface clean-up less costly.

Your plan for removal is approved in principle subject to the following conditions:

1. Reliance must register as a generator for purposes of this proposed operation.
2. The Department will have a representative present during all phases of the operation.
3. The Department reserves the right to split samples and perform independent analyses.
4. The Department will grant final approval of selected disposal sites for both liquids and solids after we have reviewed sample results.
5. Upon completion of loading, each transport vehicle shall be sealed by the Department. A Departmental representative will escort the vehicle to the approved disposal site.
6. All transportation shall be conducted in accordance with Federal and State Department of Transportation Regulations. All transported material shall be accompanied by a properly completed State manifest form.



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Mr. William J. Rutledge

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7. All appropriate statutory and regulatory requirements relative to hazardous waste management are to be observed.

The cooperation of the Department in this phase of the clean-up effort should not be construed to be a release or waiver of any rights the Department may have to request further action on your part. However, we do recognize the value of the particular course of action you have chosen.

CECOS's plan appears to be an appropriate course of action. However, it is not possible for the Department to grant a prior blanket approval of CECOS's proposed course of action. Such an approval would be an unconstitutional delegation of authority to CECOS. The Department will, as a matter of course and as a consequence of its own desire to resolve the Taylor site problem, cooperate in every way possible to facilitate the clean-up process.

In summary, this Department concurs with your plan to remove drums from the Taylor site in accordance with the prescribed performance standards to assure environmentally sound disposal. Every assistance will be rendered to help you achieve environmentally sound and safe disposal of those materials that you propose to remove from the Taylor site. Should you have any questions, please feel free to contact the Division of Hazardous Material and Waste Management, 1121 Louisville Road, Pine Hill Plaza, Frankfort, Kentucky 40601, or phone 502-564-2424 for a more detailed explanation of the regulatory requirements. We welcome your efforts to assist in the clean-up of the "Valley of the Drums".

Respectfully yours,

Jack A. Wilson  
Commissioner

JAW/jw

cc: Jackie Swigart  
Roger Blair

# RELIANCE UNIVERSAL INC.

CORPORATE OFFICES • SUITE 1600 WATERSON TOWERS • 1930 BISHOP LANE

LOUISVILLE, KENTUCKY 40218 • TELEPHONE 502 459-6410

WILLIAM J. RUTLEDGE

VICE PRESIDENT-CORPORATE OPERATIONAL STAFF

March 18, 1980

Mr. Jack A. Wilson  
Kentucky Department for Natural Resources  
and Environmental Protection  
Capital Plaza Towers, 5th Floor  
Frankfort, Kentucky 40601

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MAR 21 1980

OFFICE OF THE ATTORNEY GENERAL  
AND ENVIRONMENTAL PROTECTION  
COMMISSIONER'S OFFICE

Dear Jack:

This letter is to confirm our discussion of March 6, 1980, regarding the Department for Natural Resources and Environmental Protection's request of Reliance Universal Inc. for assistance in the clean-up plan at the Taylor site in Bullitt County.

We pointed out to you during our meeting that our Company has engaged in no illegal waste disposal activity and is not responsible for the situation at the Taylor site. Furthermore, Reliance sells its products to a wide variety of customers in drums, and these drums may be utilized by those customers, drum washers, solvent reclaimers, and others for whatever purpose they see fit, including waste disposal.

An inventory of drums at the Taylor site by Reliance Universal and DNREP personnel discloses that there is a total of 805 drums bearing Reliance markings which, in one way or another, have found their way to the Taylor site. Reliance has obtained a quotation from CECOS International, Inc. for drum removal under the procedure set forth in the attached proposal. Provided the Department promptly gives approval, Reliance is willing to contract with CECOS for the removal of the 805 drums in accordance with its quotation on the following understandings and conditions:

1. This is voluntary assistance toward the solution of a public problem, and is not to be regarded

Mr. Jack A. Wilson  
Kentucky Department for Natural Resources  
and Environmental Protection  
March 18, 1980  
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as indicating responsibility on the part of Reliance for the situation which exists.

2. The Department will grant unconditional approval for removal of the drums by CECOS in accordance with the attached proposal.
3. There is always the possibility, due to the wide variety of use of Reliance drums by others, that some of the 805 drums may be determined from analysis to contain toxic waste foreign to Reliance's manufacturing operations such as, but not limited to, benzene, chlorinated solvents, PCB and insecticides. Whether or not any such drums are removed under the proposal will remain a matter for determination by Reliance.

It is proposed that Reliance personnel monitor the process of removal and participation by DNREP is invited.

In view of the indefinite duration of the CECOS quotation, your prompt response will be appreciated.

Yours very truly,

RELIANCE UNIVERSAL INC.



William J. Rutledge  
Vice President  
Corporate Operational Staff

WJR:paf  
Attachment

CECOS INTL, INC.  
Chemical and Environmental Conservation Systems

09 Montgomery Road  
Cincinnati, OH 45242  
(513) 793-9226  
(513) 681-5730

Formerly NEWCO Chemical Waste Systems

March 18, 1980

Reliance Universal  
Suite 1600  
Watterson Towers  
1930 Bishop Lane  
Louisville, Kentucky 40218

Attn: Mr. Paul Brooks

Dear Mr. Brooks,

The following are the operation procedures which will be adhered to concerning analysis, removal, transportation and disposal of materials in drums sitting on the Taylor site in Bullitt County, Kentucky.

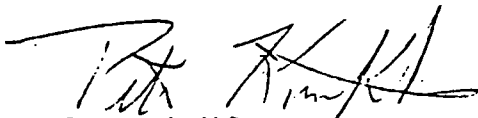
- I. Analysis of Solids - With the assistance of a Reliance Universal technical person knowledgeable of the chemical wastes constituency, CECOS will take stratified samples of a sufficient number of solid drums, composite these samples, and test this representative sample for chemical composition. This analysis will function as the characterization of the waste.
- II. Segregation of Reliance Drums - The solid and semi-solid drums selected for disposal will be moved to a designated staging area with a front end loader. Reliance Universal personnel will point out these marked drums to CECOS. Due care will be exercised in movement of the drums, but it is recognized that adjacent drums could be damaged. In such instances, common sense judgement will be made by the on-site coordinators as to the disposition of such drums. Drums containing liquids destined for thermal oxidation (incineration) will be isolated at another staging area.
- III. Solids Staging - As the drums may not meet Department of Transportation standards, the tops or bungs of the drums will be removed and the drums crushed within a bermed area to be prepared by CECOS. Any liquids in these drums will be absorbed with lime. The earth which becomes contaminated by this action will be removed for disposal.

CECOS  
INTL, INC.  
Chemical and Environmental Conservation Systems

Page Two  
Reliance Universal  
March 18, 1980

- IV. Solids Transportation and Secure Disposal - The bulk chemical waste material, the crushed drums and lime will be loaded via a front end loader into a sealed dump trailer. The sealed dump trailer will have adjoining rubber gaskets and the tailgate area will be clamped to insure a water tight seal. A tarp will be latched over the top of the trailer bed to encapsulate the load. This material will be manifested to the CECOS secured chemical vault at 5092 Aber Road, Williamsburg, Ohio 45176. This chemical cell meets or exceeds all proposed Resource Conservation and Recovery Act requirements. Transportation will be subcontracted by CECOS to a fully licensed and qualified hauler.
- V. Liquids, Segregation, Transportation and Disposal - Each liquid drum will be tested in place for chlorinated liquid. Any drum found to have contaminated chlorinated liquid will not be moved. The drums containing non-chlorinated liquid will be segregated in a separate area from solids. Any liquid which cannot be incinerated will be solidified with lime and taken to the secure landfill. A vacuum truck will be used to pump liquids for incineration into a tanker. From the tanker a sample will be drawn and analyzed for % composition, % solid, BTU value, flash point, and % organo chlorine (if necessary). These liquids will be manifested to the nearest capable incinerator. The empty drums and any sludges remaining therein, will be crushed with the solid drums. Here again, any earth contaminated in this process will be secured at the Williamsburg facility.

Sincerely,  
CECOS INTERNATIONAL, INC.



Pete Kinikles  
Technical Sales Representative

PK/cmh

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Roger Blair  
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BENNETT, BOWMAN, TRIPLETT & VITTITOW  
ATTORNEYS AT LAW  
SUITE 7-9 ODD FELLOWS BUILDING  
THIRD & ST. ANN STREETS  
OWENSBORO, KENTUCKY 42301  
(502) 683-5308

APR 8 - 1980

Dept. for Natural Resources & Environmental  
Protection Commissioner's Office  
Bureau of Environmental Protection

JOHN L. BENNETT  
HENRY A. TRIPLETT  
JAMES G. BOWMAN  
CHESTER A. VITTITOW, JR.  
DOUGLAS B. TAYLOR  
LEE E. SITLINGER  
ROBERT R. DEGOLIAN  
ROBERT V. BOWERS, JR.

EDWARD J. HOGAN (1899-1963)  
JOE H. TAYLOR (1906-1974)  
HENRY V. B. DENZER (1921-1976)

LOUISVILLE OFFICE  
231 SOUTH 5TH ST. 3RD FLOOR  
LOUISVILLE, KENTUCKY 40202  
(502) 583-5581

April 3, 1980

Mr. Jack Wilson  
Department of Natural Resources  
and Environmental Protection  
Frankfort, KY 40601

Re: Department of Natural Resources v. Taylor  
Valley of the Drums

Dear Mr. Wilson:

Confirming our telephone conversations of April 3, 1980, and my subsequent telephone conversations with Mrs. Taylor, Ford, and Reliance Universal, and their designated agents and representatives may enter into and upon Mrs. Taylor's property for the purpose of removing the approximately THIRTEEN HUNDRED (1,300) drums, which you and I have discussed as having been identified by Ford and Reliance as drums they caused to be placed on the Taylor site, upon the express conditions that Mrs. Taylor assumes no responsibility nor liability for the way in which the said drums to be removed are handled or disposed of, and upon the express condition that the Department agrees not to hold Mrs. Taylor responsible in any way whatsoever for the drums, their contents, or any thing or person affected thereby, after Ford and Reliance enter onto the property for the purpose of removing the said drums. It is further expressly understood that the removal, disposal, testing, and all other costs associated with removing these drums shall not be the responsibility of Mrs. Taylor.

It is our further understanding that by permitting this removal operation to take place, you nor anyone in the Department will relieve Ford or Reliance from any further participation in this problematic situation, and it is our further understanding that additional drums will be removed from the property in the near future by Kurfees, Louisville Varnish, and Whitesides, or their appropriate representatives and agents. This is all toward the purpose of a cooperative effort to completely clean the Taylor site of its surface debris, in the hope that this entire matter may be concluded in the near future.

Mr. Jack Wilson  
April 3, 1980  
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If we are incorrect in any of our understandings as herein above stated, please contact me at once. If we may be of further assistance to you, please do not hesitate to contact me at your convenience,

Very truly yours,

  
ROBERT VIC BOWERS, JR.

RVBjr/lbj

cc: Mrs. Nell Taylor